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ABSTRACT

This annual report describes the goals and activities of the Arizona Commission of Indian Affairs for fiscal year 1990-91. The commission is made up of seven tribal representatives, two non-Indians, and six ex-officio members from state government. In October 1990, the commission held a 2-day Indian Town Hall in Phoenix (Arizona) on the future of tribal government-to-government relationships. Commission members attempted to coordinate a baseline economic analysis of selected Indian reservations, but found little evidence of tribal support. In June 1991, the commission sponsored a conference on the current status of Indian diabetes programs in Arizona. In cooperation with other agencies, five seminars were held in various locations to address issues of law enforcement and jurisdiction on and off reservations. Other commission activities included compiling and disseminating information on Indian affairs, assisting Arizona Indian tribes to develop a state-tribal relationship policy, and making policy recommendations to state government. A bill in the state legislature that would have terminated the commission died in the face of broad tribal opposition. Appendices outline commission objectives 1991-93 and list tribal priority issues related to economic development, taxation, gambling, lottery proceeds, new land acquisitions by reservations, waste management facilities on reservation lands, transportation of hazardous waste through reservations, state-tribal intergovernmental relationships, health care services, water rights, fish and game laws and their enforcement, and education. Educational issues involve funding, school district jurisdiction, and integration of American Indian history into public school curriculum. (SV)

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ARIZONA COMMISSION OF INDIAN AFFAIRS

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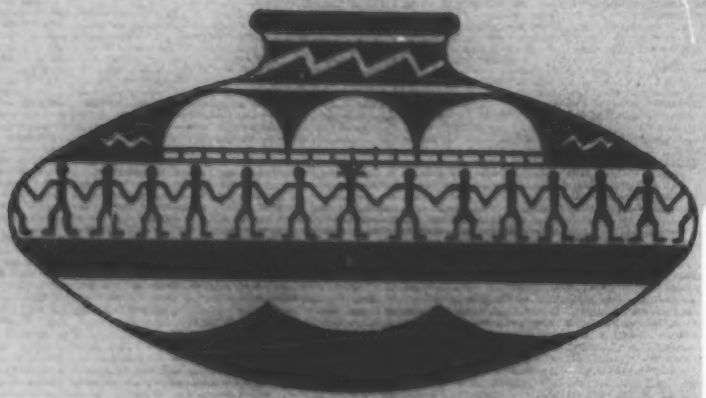

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RC018649

ANNUAL REPORT

BEST COPY AVAILABLE

Arizona Commission of Indian Affairs
1645 W. Jefferson
Phoenix, Arizona 85007
Phone: 542-3123

January 15, 1992

The Honorable Fife Symington
Governor of Arizona
West Wing - Towers
Phoenix, Arizona 85007

Dear Governor Symington:

Please accept the enclosed copy of the Arizona Commission of Indian Affairs Annual Report which covers the period from July 1, 1990 to June 30, 1991 pursuant to ARS 41-542 (C).

This report provides an account of Commission proceedings, transactions, findings and recommendations which resulted from a set plan consisting of goals and objectives previously established and amended by the Commission.

The primary thrust in our Work Plan for the past year has been towards improving state-tribal relationships, and toward this end we consider the outcome to have been generally successful as indicated last July in our Annual Productivity Report to your Productivity Council.

As you will note, under your tutelage, our Commission, despite certain handicaps, has grown in terms of its organizational quality and administrative capability, and hopefully our agency will continue into the next decade to develop in concurrence with the increased amplification of Indian affairs now taking place throughout the State of Arizona.

Sincerely,

HARRIET TORO - CHAIR

Tony Machukay

TONY MACHUKAY, Executive Director

TM:LMS:mc

- FORWARD -

As we review FY 1990-91, we can look to experiences encountered as having been a challenge to the Commission's integrity. Not only was the Commission required to substantiate its operations by the Governor's Productivity Council, but its very existence was questioned by legislators through bills introduced to terminate the Commission.

Another critical question the Commission had to answer during the past year was the request for budget cuts due to Arizona's weak economy and drop in revenues.

The Commission responded quite capably to all of the difficulties it faced as can be seen in this report -- but not without direct involvement and support of Arizona tribes.

The Indian tribes are essential to the continued work of the Commission and probably no one knows this better than the staff and Commissioners themselves. It is clear that if it had not been for the historic advocacy of such staunch tribal leaders as Sam Ahkeah, Pete Homer, Sr., Art Hubbard, Nelson Lupe, Sr., Maurice McCabe, Rupert Parker, Lemiel Paya, Thomas Segundo and Clarence Wesley who bargained with representatives of State Government in 1952-53, the Arizona Commission of Indian Affairs would not have been created and alive today.

This means of course, that only <u>with</u> tribes as parties to the covenant made in 1953 should the life of the Commission be determined.

In a more positive vein, and as envisioned by old-time leaders of the early 1950's, the Commission took up the challenge of encouraging Arizona tribes to sign a Proclamation with the Governor that would establish a Tribal-State Government-to-Government Relationship Policy as a means of preventing unnecessary litigation. As of June 30, 1990, one-fourth of the 21 Arizona tribes had agreed to do so.

In retrospect, while the decade may have turned for better or worse, one can say that the Commission could very well have gone through a crucial phase during which the Agency's being was threatened and the Commission was compelled to in effect, "validate" its legislative mandates and original agreement made between the Arizona tribes, Governor Howard Pyle, and the 21st Legislature.

Basically, in this report we have described how the Commission met such tests, and how it operates to the benefit of the Indian people and non-Indian public despite many hindrances. In sum, the Commission and State Government may not have "bottomed out" yet in terms of the economy, but the outlook appears brighter in the years ahead.

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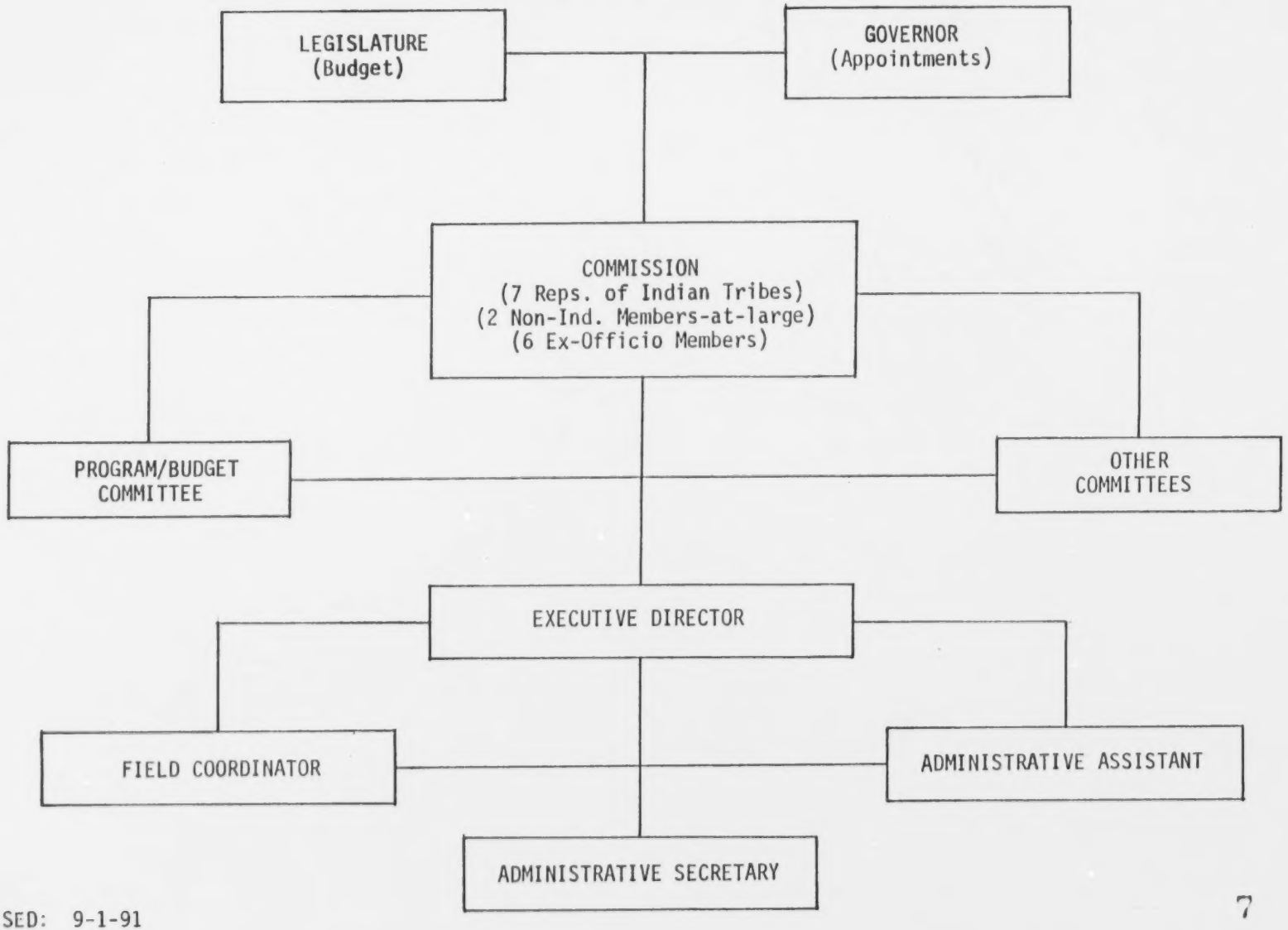
ARIZONA COMMISSION OF INDIAN AFFAIRS
ORGANIZATIONAL CHART



REVISED: 9-1-91

COMMISSION MEMBERSHIP

(TRIBAL REPRESENTATIVES)

HARRIET TORO (CHAIRPERSON)	TOHONO O'ODHAM
SIERA RUSSELL (VICE CHAIR)	CAMP VERDE
DELIA M. CARLYLE	PIMA-PAPAGO
C. MARSHALL PATTEA	YAVAPAI
DANIEL HONAHNI	HOPI
LAFE ALTAHA	WHITE MOUNTAIN APACHE
ANSLEM ROANHORSE	NAVAJO

(NON-INDIAN MEMBERS-AT-LARGE)

GORDON KRUTZ	TUCSON
SYLVIA BOUTILIER	PHOENIX

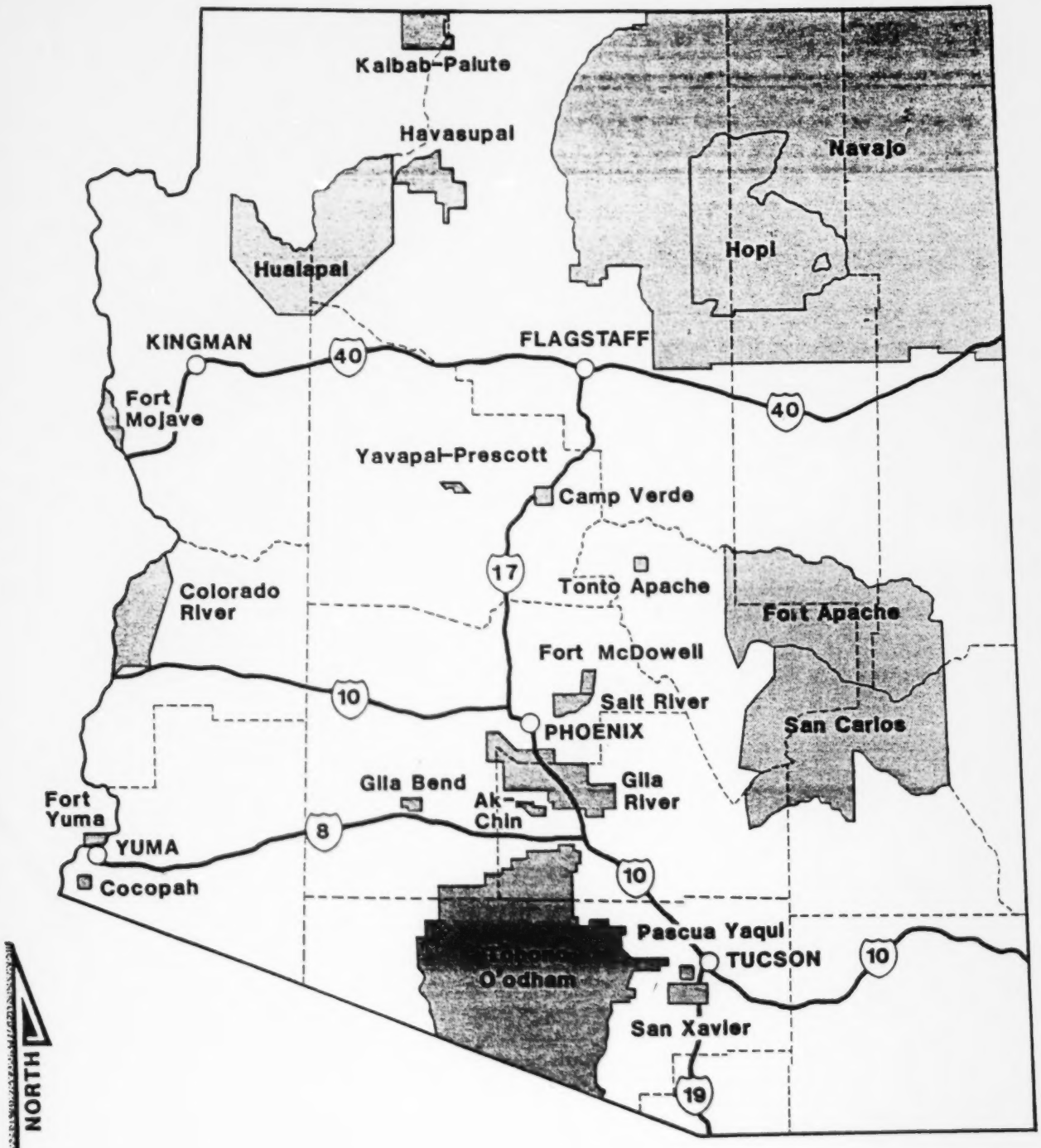
(EX-OFFICIO MEMBERS)

FIFE SYMINGTON	GOVERNOR
GRANT WOODS	ATTORNEY GENERAL
C. DIANE BISHOP	SUPERINTENDENT OF PUBLIC INSTRUCTION
ALETHEA CALDWELL	DIRECTOR, DEPARTMENT OF HEALTH SERVICES
CHARLES COWAN	DIRECTOR, DEPARTMENT OF TRANSPORTATION
LINDA RAE MOORE-CANNON	DIRECTOR, DEPT. OF ECONOMIC SECURITY

****

STAFF

Tony Machukay	Executive Director
Hollis Chough	Field Coordinator
Loa M. Schell	Administrative Assistant
Michelle Cooper	Administrative Secretary



INDIAN RESERVATIONS IN ARIZONA

Prepared By IDDA THE INDIAN DEVELOPMENT DISTRICT OF ARIZONA, INC.

POPULATION AND ACREAGE OF ARIZONA RESERVATIONS*

RESERVATION	TRIBE	ENROLLED POPULATION	ACREAGE
AK-CHIN	Tohono O'Odham-Pima	592	21,840
CAMP VERDE	Yavapai-Apache	1,410	653
COCOPAH	Cocopah	656	6,009
COLORADO RIVER	Mohave-Chemehuevi	2,983	269,918
FORT APACHE	White Mt. Apache	9,779	1,664,984
FORT MCDOWELL	Yavapai-Apache	701	24,680
FORT MOJAVE	Mojave	850	22,820[1]
FORT YUMA	Quechan	2,263	43,581[1]
GILA RIVER	Pima-Maricopa	11,700	372,000
HAVASUPAI	Havasupai	586	188,077
HOPI	Hopi	9,189	1,561,213
HUALAPAI	Hualapai	1,822	992,463
KAIBAB-PAIUTE	Paiute	212	120,827
NAVAJO	Navajo	90,964	14,775,068[2]
PASCUA YAQUI	Pascua Yaqui	6,588	895
SALT RIVER	Pima-Maricopa	4,620	55,807
SAN CARLOS	Apache	10,117	1,826,541
SAN JUAN SO. PAIUTE	So. Paiute	192	(Not Available)
TOHONO O'ODHAM	Tohono O'Odham	17,309	2,846,372
TONTO APACHE	Tonto Apache	97	85
YAVAPAI PRESCOTT	Yavapai	120	1,399
	T O T A L S	172,750	24,795,232

NOTE: 1 Includes California
2 Includes Arizona only (United States Department of Commerce)
*Figures supplied by the Bureau of Indian Affairs, Phoenix Area Office

COMMISSION MEETINGS

During Fiscal Year 1990 - 1991, the Commission held four business meetings; an Indian Town Hall; five Regional Law Enforcement Seminars; a Statewide Health Conference; and, facilitated a Gubernatorial Candidates' meeting with tribal leaders as follows:

July 12, 1990	Regular Business Meeting
August 21, 1990	Law Enforcement Regional Meeting-Phoenix
September 18, 1990	Law Enforcement Regional Meeting-Flagstaff
October 11, 1990	Regular Business Meeting
October 18-19, 1990	12th Arizona Indian Town Hall
November 2, 1990	Law Enforcement Regional Meeting-Tucson
November 20, 1990	Law Enforcement Regional Meeting-Parker
December 19, 1990	Law Enforcement Regional Meeting-Globe
January 10, 1991	Regular Business Meeting
February 4, 1991	Gubernatorial Candidates Meeting with Tribal Leaders - ASU Law School, Tempe
June 14, 1991	Statewide Conference on "The Current Status of Indian Diabetes Programs in Arizona."

COMMISSIONER ATTENDANCE RECORD

(Regular Meetings)
July 12, 1990

Members Present	Members Absent
Harriet Toro, Chair Pro Tem	C. Marshall Pattea, Chair
Siera Russell	Delia Carlyle
Daniel Honahni	Lafe Altaha
Anslem Roanhorse	David Rich (AG's Ofc)
Gordon Krutz	Katie Stevens-Begaye (DOE)
Sylvia Boutilier	Ray Ellis (ADOT)
Nell Evans (Governor's Office)	
Elouise Chicharello (DES)	
Vanessa Hill (Dept. of Health Services)	

COMMISSIONER ATTENDANCE RECORD

October 11, 1990

Members Present	Members Absent
C. Marshall Pattea, Chairman	Daniel Honahni
Harriet Toro, Vice-Chair	Vanessa Hill
Siera Russell	Katie Stevens-Begaye (DOE)
Lafe Altaha	
Anslem Roanhorse	
Delia Carlyle	
Sylvia Boutilier	
Gordon Krutz	
Nell Evans (Governor's Office)	
David Rich (AG's Ofc)	
Elouise Chicharello (DES)	
Ray Ellis (ADOT)	

January 10, 1991

C. Marshall Pattea, Chairman	Delia Carlyle
Harriet Toro, Vice-Chair	Anslem Roanhorse
Siera Russell	Gordon Krutz
Daniel Honahni	David Rich
Lafe Altaha	
Sylvia Boutilier	
Nell Evans	
Josiah Moore, Designated Rep. (DOE)	
Ray Ellis	
Vanessa Hill	
Elouise Chicharello	

April 11, 1991

Harriet Toro, Chair	Delia Carlyle
Siera Russell, Vice-Chair	Anslem Roanhorse
Daniel Honahni	Jack Moortel (Gov's Ofc)
C. Marshall Pattea	Katie Stevens-Begaye (DOE)
Lafe Altaha	Vanessa Hill
Gordon Krutz	Ray Ellis
Sylvia Boutilier	David Rich
Laverne Yazzie (DES)	

I. INTRODUCTION

PURPOSE. Under Arizona Revised Statutes, Sections 41-541 and 41-542, the Commission of Indian Affairs is mandated by the State Legislature to "assist and support State and Federal agencies in assisting Indians and tribal councils in this State to develop mutual goals, to design projects for achieving goals and to implement their plans".

To carry out this mission, the Indian Affairs Commission is charged with the following duties: (1) gathers data and facilitates the exchange of information needed by Tribal, State and Federal agencies; (2) assists the State in its responsibilities to Indians and tribes of this State by making recommendations to the Governor and the Legislature; (3) confers and coordinates Indian needs and goals with various government officials; (4) works for greater understanding and improved relationships between Indians and non-Indians by creating an awareness of the legal, social and economic needs of Indians in this State; (5) promotes increased participation by Indians in local and State affairs, and (6) assists tribal groups in developing increasingly effective methods of self-government.

SCOPE. This report describes Commission of Indian Affairs activities in efforts to attain the stated purpose described above during the period from July 1, 1990 to June 30, 1991, even though there may be some overlap of time lines due to the need for advanced planning and action steps to be taken prior to the fiscal year covered by this report.

Although the Commission's legislated responsibilities do allow for much greater expansion of Commission programs, the fact is that the Agency budget limits the scope of its work to five major areas; i.e., (1) Indian Town Hall; (2) statewide, regional, or local meetings; (3) publications, and (4) Commission meetings, and (5) day-to-day office operations.

II. BACKGROUND

Seven Governor-appointed tribal representatives and two non-Indians-at-large, along with six Ex-Officio Members of the Governor's Office, Attorney General, and Departments of Education, Economic Security, Transportation and Health, make up the policy-making body of the Commission.

Through a Budget/Program Committee a detailed Annual Work Program and a 3-year strategic plan, to be followed by staff, is developed and recommended for Commission approval. The Work Plan itself incorporates measurable goals and objectives, steps to be taken by staff, time lines, and evaluation criteria in accordance with a specified budget.

However, long before a proposed Work Plan is presented to the Committee, staff will have already identified trends primarily as a result of its daily monitoring of current issues by whatever means available. Normally, trends in Indian affairs have followed developments initiated at the Federal level.

For instance, in Goal 1.0 staff was instructed to conduct an Indian Town Hall on the topic of "Water Marketing," but this topic was changed to "Future of Tribal Government-to-Government Relationships" primarily because the topic had become a priority and much publicized issue among Arizona tribes due to changes in Federal Government policies.

Results of the Town Halls in turn, are made aware to various political entities and policy-makers involved through such mechanisms as meetings, reports, statewide conferences, newsletters, interagency contacts, and visits with tribal representatives, and so forth.

III. PROGRAM IMPLEMENTATION

The basis for evaluating the Indian Affairs' accomplishments for the past year, are the goals and objectives established by the Commission in its FY 1990-91 Work Plan (see Appendix A). Although part of the review entails finding out if staff is doing its job well or poorly, another segment of the evaluation process that staff has encountered is in discovering what principles and new program approaches work best in light of the number of audits of the Commission's effectiveness within the last five years. During this phase, for example, staff confirmed that there were limitations to the variety and number of statewide conferences and local meetings it could carry out efficiently without deviating from the intent of a goal and objective. This was reflected particularly in Goal 3.0, Objective 3.1 which called for five regional law enforcement meetings and follow-ups to be made. Five workshops were effectively conducted, but no allowances were made for unexpected office or staff obstacles, such as the 9-month absence of a full-time administrative secretary which represented 25% of the Commission's staff, and the fact that the date and place of the Annual Indian Town Hall had to be rescheduled.

One can see from the following results that the Commission's achievements were somewhat hampered, although overall roughly 91% of the Work Plan was completed.

GOAL 1.0 - TO PROVIDE INFORMATION ON WATER MARKETING MATTERS NEED BY TRIBAL, STATE, LOCAL AND FEDERAL AGENCIES IN ORDER FOR THEM TO BECOME MORE AWARE OF THE ISSUES INVOLVED IN THIS CRITICAL AREA. (NOTE: Due to significant political changes in national Indian affairs, this goal was revised by the Commission on April 12, 1990 as follows: **"TO PROVIDE INFORMATION ON CURRENT FEDERAL LEGISLATIVE PROPOSALS AND STATE-RELATED MATTERS NEEDED BY STATE, TRIBAL, FEDERAL AND LOCAL AGENCIES."**

OBJECTIVE 1.1. The objective and action steps were reworded accordingly to read: "By October 31, 1990 the Commission will develop, conduct and evaluate the 13th Annual Indian Town Hall which will focus on issues entailed in Federal legislative and certain State-Tribal Government-to-Government Proposals."

ACCOMPLISHMENTS. With the temporary closing of Sunrise Park Hotel, on the White Mountain Apache Reservation, the Indian Town Hall was rescheduled from July 25-26 to October 18-19, 1990 at a hotel in downtown Phoenix.

The Indian Town Hall was held with approximately 140 people in attendance or participating. State, Tribal, Federal officials and others were on hand to discuss the topic, "FUTURE OF TRIBAL GOVERNMENT-TO-GOVERNMENT RELATIONSHIPS". Proceedings of this conference were taped, transcribed and a draft of a report was in the process of being edited. It should be noted here that the absence of a full-time Secretary from August 1990 until August 1991 ultimately caused considerable delay in a full report being completed and disseminated as scheduled.

GOAL 2.0 - TO CONTINUE TO SUPPORT AND COORDINATE A BASELINE ECONOMIC ANALYSIS OF SELECTED INDIAN RESERVATIONS IN COOPERATION WITH THE HOPI TRIBE AND OTHER ORGANIZATIONS INVOLVED.

OBJECTIVE 2.1. By June 30, 1991 the Commission will generate interest in and promote participation of the tribes by providing pertinent information and coordinating communication among the principals involved in the Baseline Economic Research Project by visiting the Indian reservations participating in the statewide program, assisting the consultant and oversight committee wherever possible and providing research of project funds.

ACCOMPLISHMENTS. Following numerous meetings with tribal officials in efforts to secure participation in the Baseline Study, there has been verbal but little evidence of tribal support or written proof of intent to take part in the project even though a $10,000 contract was offered in March 1991 by the Department of Commerce to assist in the study. Since this

goal has been an on-going one for a number of years, the Commission instructed the Executive Director to make a final attempt at contacting tribal leaders, as well as the consultant, and report at the next Commission meeting in October with a recommendation for or against continuation of the study.

The Executive Director again wrote letters to the tribes and at the closing of this fiscal year, he and the Field Coordinator were continuing to meet with tribal officials and/or councils relative to this project.

GOAL 3.0 - TO PROMOTE IMPROVED WORKING RELATIONSHIPS WITH AHCCCS IN SUPPORT OF THEIR RESPONSIBILITIES TO INDIAN TRIBES OF THIS STATE.

OBJECTIVE 3.1. The Commission will foster understanding of and assist in generating Indian participation in AHCCCS programs by holding a statewide conference to educate, develop long-range goals, and form a common strategy to promote a safe health care environment in Native American communities.

ACCOMPLISHMENTS. On June 14, 1991 the Commission sponsored an all-day conference on the topic: "THE CURRENT STATUS OF INDIAN DIABETES PROGRAMS IN ARIZONA". Approximately 60 health care workers attended the meeting at the Arizona Industrial Commission's auditorium as State, Tribal, and Federal, Local Government and private health-related professionals/individuals shared information on a very current theme throughout Indian country. Based on evaluation forms returned, the conference was considered to have had a successful outcome.

GOAL 4.0 - TO IMPROVE COMMUNICATION AND PROMOTE COOPERATION AND COORDINATION IN THE DEVELOPMENT OF EFFECTIVE LAW ENFORCEMENT PROGRAMS AMONG THE TRIBES AND THE VARIOUS JURISDICTIONS IN THE STATE.

OBJECTIVE 4.1. The Commission will sponsor a series of meetings throughout the State in key geographical locations for the purpose of generating discussion on certain law enforcement problem areas among tribal and non-tribal government agencies, and recommending legislation aimed at resolving some of the concerns raised such as the increased influx of illegal drugs on Indian reservations and lack of data to support tribal police agencies.

ACCOMPLISHMENTS. The Commission sponsored five regional seminars which were conducted in cooperation with Northern Arizona University, DES, Industrial Commission and the Colorado River Indian Tribes who all allowed free use of their

meeting rooms. Attendance ranged from 14 to 46 persons at the following locations:

Phoenix	-	August 21, 1990
Flagstaff	-	September 18, 1990
Tucson	-	November 2, 1990
Parker	-	November 20, 1990
Globe	-	December 19, 1990

The regional meetings were attended by a wide variety of individuals involved in the area of law enforcement at the Federal, State, Tribal, County and Local Government level. These seminars provided a forum for the exchange and flow of information on current issues such as the effect of the U.S. Supreme Court decision in Duro v. Reina; apprehension of offenders on or off Indian reservations; how non-Indian law enforcement personnel cooperate and coordinate their activities with tribal, Bureau of Indian Affairs and other Federal officers; an update of programs underway in the field of law enforcement; recovery of property; "hot pursuit" procedures, etc.

One of the Commissioners, Ms. Sylvia Boutilier, volunteered to assist in this project and was instrumental in making contacts with top officials of various agencies and in encouraging dialogue on domestic violence issues.

The Duro v. Reina case was of top concern during this period to both Indian and non-Indian police officers. The decision held that an Indian tribes "as limited sovereigns, subject to the overriding authority of the United States, do not have the power of jurisdiction over Indian members of other tribes". However, on October 31, 1990 the 101st Congress passed legislation whereby tribes would continue to assert criminal misdemeanor jurisdiction over non-member Indians for one more year during which time hearings would be held to decide on legislation to resolve the issue.

OBJECTIVE 4.2. The Commission will assist in developing a common public agenda which prioritizes legislation needed to overcome conflicting issues between Indian and non-Indian law enforcement agencies and jurisdictions.

ACCOMPLISHMENTS. Commission staff worked very closely with the Arizona Court Forum in identifying issues, ways of resolving them, and discussing possible legislation. Some of the outcomes of the law enforcement seminars were also referred directly to the U.S. Senate Select Committee on Indian Affairs in Washington, D.C. on May 9, 1991. Commissioners were briefed as seminars developed and some of the more significant results were also communicated to the Tribes and State officials.

GOAL 5.0 - MAINTAIN, OPERATE AND MANAGE THE OFFICE OF THE COMMISSION OF INDIAN AFFAIRS.

OBJECTIVE 5.1. Through the Executive Director, the Commission will continue to perform its legislated powers and duties by maintaining, operating and managing an office consistent with State Regulations, Commission Policies, Procedures and Work Plan assignments.

ACCOMPLISHMENTS. As part of the Work Plan, the staff met weekly to discuss priorities, activities and responsibilities in order to carry out this objective. In one of these weekly sessions, staff discussed the question of the effectiveness of Interdepartmental sub-committee meetings which involved State agency representatives discussing various topics. Later, after advisory contacts with several Commissioners were made, staff recommended with approval by the full Commission that rather than hold six meetings with a variety of agencies, it would be more efficient to ascertain Tribal and State agency concerns by working with one department separately and contacting the tribal offices involved in seeking solutions to the issues. This objective is being accomplished on an ongoing, case-by-case basis.

With regard to this objective, staff conferred with numerous Tribal, State, Local and Federal officials in securing data of vital concern to Indian tribes and State agencies and has disseminated this information through various ways; i.e., letters, telecommunications including fax, direct contacts, conferences, workshops, and the Capitol Drumbeat Newsletter published by the Commission. Staff also provided technical assistance for a number of individuals by performing limited research involving Indian tribes in areas ranging from Federal Indian policies, regulations, and tribal programs to Indian culture and history. The staff also provided referral services and met individually with the public relative to specific or general information pertaining to Indian people.

OBJECTIVE 5.2. The staff will develop an Annual Report which will include a detailed account of major accomplishments as related to the Work Plan objectives, Commissioners' recommendations, tribal surveys, and recommendations for future activities, and present a report to the State Legislature, Governor, and Tribal chairpersons.

ACCOMPLISHMENTS. During this fiscal year, Commission staff developed and provided to Commissioners, State budget analysts and Indian Legislators a Monthly Report on the current status of Work Plan assignments. At the end of the fiscal year, contents of Monthly Reports were used to develop the Annual Report along with a tribal evaluation survey. The survey was

not completed in time for publication, but will be carried over and results will be passed on as a supplemental report to those mentioned in the objective.

OBJECTIVE 5.3. Commission staff will compile data, communicate with Tribal, State, Local and Federal officials and develop sufficient copies of a Tribal Directory for distribution to governmental entities and the public. Additionally, 12 issues of the Capitol Drumbeat, which will include an issues analysis of legislative bills affecting Arizona tribes, will be printed and disseminated.

ACCOMPLISHMENTS. The 20th edition of the 1990-91 Tribal Directory was developed, published, distributed in accordance with this objective. The Directory is a widely known document among those actively involved in the area of Indian affairs and the only one of its kind in the State of Arizona. This publication consists of the names, addresses, telephone numbers of the departments of the 21 tribes and of State, Federal and Local Government Agencies working with Indian tribes in Arizona.

Capitol Drumbeat Newsletters were developed and disseminated in keeping with this objective. The newsletter encompasses a look at State and Congressional legislative measures and their progress, along with various other information on Indian affairs. The mailing list for this publication is growing at a very fast rate at this time.

The office has received numerous compliments relative to the newsletter and its contents from a wide range of individuals.

In an endeavor to make Commission publications more cost effective, S.B. 1040 (Chapter 36, 1990 Laws), which established a Commission Publications Revolving Fund Account, was passed by the Legislature on April 14, 1990 in the previous fiscal year. This year, in compliance with the statute, the Commissioners adopted the following policy:

1. All units of government including State, Tribal, Federal and Local Agencies will continue to receive free copies of Commission publications.

2. A five dollar ($5.00) fee will be charged for the 1991 Tribal Directory request by a person of a non-governmental entity. There will be a charge for other Commission publications according to printing, postage and handling costs.

3. "Non-governmental entity" means an organization which is not ordinarily considered a governmental agency, such as a non-profit organization, non-State supported university or college, museum, library, church, school, civic club, private company, association and the like.

4. Out-of-State governmental agencies will also be assessed a fee for Commission publications, unless that particular unit of government, such as a State Commission, has already arranged for the exchange of similar publications. Determination of which out-of-State government agency to charge will be carried out on a case by case basis by the Department Director.

5. The Commission may honor its exchange arrangements with non-governmental entities by waiving fees for its publications on a case by case basis by the Department Director.

OBJECTIVE 5.4. Staff will finalize the previous year's budgetary process, and develop and propose a budget package for the new fiscal year for review and approval by the Legislature, and upon acceptance of the Commission's budget, staff will prepare an allotment schedule and agency's accounting ledger in accordance with DOA guidelines.

ACCOMPLISHMENTS. The staff developed the Commission's 1991-92 Budget Request per guidelines with the assistance of the Budget/Program Sub-committee and submitted budget recommendations to the Commission for approval prior to presentation to the Executive Budget Office.

The Budget Request was developed in conjunction with the Commission's Annual Work Program and the State Strategic Plan, which now must be projected over a three year span. Staff attended Appropriations Hearings both in the Senate and House and the Commission's Budget Request was justified accordingly.

An Allotment Schedule was developed and approved by the Department of Administration (DOA) budget units prior to the Commission's accounting system being completed. The Agency's fiscal year's closing packages and inventory were compiled in accordance with DOA guidelines and submitted to the DOA General Accounting Office.

OBJECTIVE 5.5 The Commission, through the efforts of the Executive Director, and Budget/Program Sub-committee, will develop and draft a detailed Budget and Work Plan for FY 1991-92.

ACCOMPLISHMENTS. This objective was covered above and results were covered in the description of the Commission's Budget process.

GOAL 6.0 - THE COMMISSION WILL CONDUCT FOUR QUARTERLY MEETINGS PRESCRIBED BY LAW.

OBJECTIVE 6.1. The Commission will conduct four quarterly meetings, on the second Thursday of the first month of each quarter, for the purpose of exercising its powers and duties pursuant to provisions contained in Section 41-542 of the Arizona Revised Statutes.

ACCOMPLISHMENT. At the beginning of the fiscal year, staff requested in writing the use of a meeting room in the Occupational Licensing Building for its quarterly meetings. Meeting notices were posted in accordance with State regulations.

All Commission meetings were recorded by tape, transcribed and minutes were drafted and disseminated after approval by the Commission.

GOAL 7.0 - TO ASSIST ARIZONA INDIAN TRIBES IN DEVELOPING AND RECOMMENDING A STATE-TRIBAL GOVERNMENT-TO-GOVERNMENT RELATIONSHIP POLICY THAT ADDRESSES THE NEED FOR COMMUNICATION, COOPERATION, AND RECOGNITION OF CERTAIN FEDERAL INDIAN LAW DOCTRINES AMONG STATE AND TRIBAL DEPARTMENTS AND AGENCIES. (A Goal carried over from last fiscal year).

OBJECTIVE 7.1. By June 30, 1991 the Commission will assist in completing a State-Tribal Government-to-Government relationship policy by facilitating and coordinating efforts to generate discussion on this vital issue among Arizona Indian tribes and their attorneys and key policy making leaders.

ACCOMPLISHMENTS. In the course of on-going contacts and meetings with tribal officials, Commission staff spoke extensively wherever possible, on the merits of establishing and maintaining a Government-to-Government Relationship Policy between the various tribes and the State of Arizona, patterned after the Proclamation and "ACCORD" reached between the State of Washington and the 26 Federally recognized tribes in that State.

There was virtually no opposition shown by tribes to the concept of signing a Proclamation with the Governor, even though a majority of tribal representatives indicated that there were more pressing issues which their tribal councils needed to address. Nevertheless, the first tribe to pass a Resolution on its intention to sign such a Proclamation was

the Yavapai-Prescott Indian Tribe on August 10, 1990. This was quickly followed by passage of a Resolution by the Hopi Tribal Council on August 28, 1990, then by the Colorado River Indian Tribes on October 18, 1990. On November 9, 1990 the White Mountain Apache Tribe made its intention known; six days later, the Pascua Yaqui Tribe of Tucson signed a document in support of such a Proclamation.

Also, on June 14, 1991 just prior to the end of the fiscal year, President George Bush issued an Affirmation of the United States Government's Policy on its long-standing Government-to-Government relations with the Indian tribes. This development can only result in making aware to State government and its political sub-divisions the need to improve and strengthen State-Tribal working relationships in all areas.

In addition, during this fiscal year, staff was involved with a Tribal/State jurisdiction project called the Arizona Court Forum sponsored by the Conference of Chief Justices of State Supreme Courts. The purpose of the project was to bring together leaders from State and tribal court systems to address civil jurisdiction issues and to initiate an action plan to assist in resolving these issues.

In its final report to a national convention in Seattle, Washington, delegates of the Arizona Court Forum recommended the establishment of Proclamations "by the Governor and the Chief Executive of each Arizona Tribe/Nation and by a Resolution of the Arizona Legislature and the legislative bodies of Arizona's Indian Tribes/Nations embracing a Government-to-Government approach in all interaction".

IV. OTHER COMMISSION HIGHLIGHTS

A. ELECTION OF OFFICERS. During the January 10, 1991 Commission Business meeting, Ms. Harriet Toro (Tohono O'Odham) and Ms. Siera Russell (Camp Verde) were elected Chairperson and Vice-Chairperson respectively. The outgoing Chairman Mr. C. Marshall Pattea was thanked for his leadership and dedication in serving the Commission. Due to the approaching change in the Governor's Office, no appointments were made for new Commissioners to replace those members whose terms were up.

B. FIFTH COLUMBUS CENTENARY. The Executive Director was advised by Commissioners to keep abreast of significant activities involving the 5th Centenary of Columbus' arrival into the Americas. During the year a number of related events took place locally in schools, colleges and universities; churches especially are very much involved, but not at a Statewide level. The Executive Director attended one meeting

related to the quincentennial and provided a brief commentary for taping on Channel 8, KAET-TV on January 24, 1991. There is likelihood that Indian people may not wish to even recognize officially the 5th Centenary as a great achievement or positive event as part of their tribal histories and traditions.

C. PROPOSALS TO TERMINATE THE COMMISSION OF INDIAN AFFAIRS. On February 13, 1991 the Executive Director was called to meet with Representative Jack Jackson (D-Dist. 3) and was made aware of a bill Representative Jackson intended to introduce with other Democrats. It became clear to Commission staff that not only would the Commission be eliminated and its budget transferred to an office under the Governor's Administration, but the new office would have powers to override agreements made between a Tribe and State agency, and basically would have retained the powers and duties already invested in the Commission of Indian Affairs.

On the Senate side, Senator James Henderson (D-Dist. 3) also introduced a "companion bill" (SB 1408) on February 12, 1991 similar to HB 2385 (Jackson's Bill). If passed, both bills would have abolished the Commission effective July 1, 1991 (See Appendix B and C).

HB 2385 was referred to the Rules, Government Operations, and Appropriations Committees and on the evening of March 13, 1991 the House Committee on Government Operations held a hearing during which the Executive Director and certain tribal leaders provided testimony on the bill. Essentially, most tribes opposed the bill because it would: (1) impair their sovereignty and decision-making authority; (2) abolish the Commission of Indian Affairs; (3) transfer $99,000 from AHCCCS to a new office -- funds which were believed to have been designated for the State's Indian Health Care Advisory Council formed only one year ago under ARS 36-2902.01. By a split vote of 10 to 5, with four Republicans crossing party lines, HB 2385 was passed and transferred to the House Appropriations Committee. Later, it was apparent that due to wide opposition to the bill led by a strong inter-tribal front, the bill was assigned to an Appropriations Sub-Committee where it eventually "died".

D. GUBERNATORIAL CANDIDATES MEETINGS WITH TRIBES. In accordance with Commission instructions, staff facilitated meetings between tribal leaders and the two candidates involved in a run-off election for the Office of Governor. This unique event was conducted on February 4, 1991 on the campus of Arizona State University in cooperation with the Indian Legal Program of the University's College of Law. The purposes for the two separate meetings were to encourage

dialogue, improve understanding of mutual issues (see Appendix D), and, to promote cooperation in the future between State Government and Indian tribes.

Although the meetings were aimed at encouraging dialogue primarily between tribal heads of government and the two candidates, between 50 and 60 people were in attendance and heard discussions on various issues. The joint candidate-tribal leaders meetings were covered by a reporter of "The Navajo-Hopi Observer" (see Appendix E).

E. URBAN INDIAN REPRESENTATION ON THE COMMISSION. During the January 10, 1991 quarterly meeting, the Commission directed staff to contact both the Indian tribes and urban Indian organizations in regard to having urban Indian representation on the Commission membership. In compliance, staff consulted with 16 of 21 representatives of Arizona tribes and ten urban Indian organization in Phoenix, Flagstaff, and Tucson which included Indian centers. As reported by the Director to the Commissioners at its next meeting in April 1991, nine tribes were in favor of urban Indian representation while seven were opposed. Understandably, all ten urban Indian centers were in favor of being represented (see Appendix F). However, after one Commissioner and the Director of the large Phoenix Indian Center agreed that they did not want to see the tribes split by this issue since it had not been a serious issue initially, the Commission suggested that if urban Indian groups and tribes wished to amend legislation making urban Indian representation on the Commission possible, staff could facilitate and assist in advancing such a cause through the legislative process.

F. GOVERNOR'S GOVERNMENT PRODUCTIVITY COUNCIL. The Executive Director continued work on the Government Productivity Program which includes a requirement to develop a 3-Year Strategic Plan and report for Fiscal Years 1990 to 1993. This Statewide program, which affects all State agencies under the direction of the Governor and a nine-member Council, began in the last fiscal year and is aimed at producing "gains, dollar savings, and service enhancements for the citizens of the State", through "good, sound management and positive motivation".

In its report on the "Agency's Strategic Plan for FY 1990-93", submitted to the Governor's Productivity Council on July 17, 1990, the Commission office stated, "Now that the Commission has over the years shown its effectiveness and willingness to lay the groundwork of communication, research, and dissemination of information in reports, proposals, and recommendations, the Commission is in a better position now -- after the Sunset Review and renewed confidence -- to

anticipate appropriate strategies and the resources needed toward development of urgently needed solutions and plans for Arizona's future".

During this period, Commission staff managed to meet all data required under the Government Productivity Program. By the end of December 1990, the Productivity Council had developed and issued a final report in which the Indian Affairs Commission was referred to as an example of Agency initiatives under the categories of "Automated Systems" and "Centralization and Cooperation".

G. OTHER HIGHLIGHTS. At the invitation of the Colorado Commission of Indian Affairs and the Southern Ute Nation of Colorado, the Executive Director and four members of the Arizona Commission attended the Four Corners American Indian Commission Conference in Ignacio, Colorado on September 12-14, 1990. As intended by the sponsors the objectives of the gathering were: (1) to inaugurate working relationships between the Four Corner States; (2) to provide an open forum for discussion, and (3) to identify issues "...which can be impacted or implemented through regional strategy".

-- On January 10, 1991 representatives of the Arizona Department of Environmental Quality attended a Commission meeting and outlined their involvement with Indian tribes and the reactivation of a tribal affairs steering committee in their department. Since that time, staff has been attending monthly meetings of this Committee.

-- One of the important duties of staff in maintaining the Commission office is to ensure funding for the upkeep of the Commission in terms of its budget. During this fiscal year, staff again responded to requests for a contingency budget reduction plan.

-- Commission staff also began intensified efforts in March to hire a new Administrative Secretary and in June a temporary secretary was hired; also, in an agreement with the Gila River Indian Community, a JTPA trainee was assigned to the Commission office to provide clerical-typing support.

-- During the legislative session, from February through June, Commission staff spent considerable time with numerous tribal representatives and non-Indian leadership informing them on the contents of HB 2385 which proposed to abolish the Commission. SB 1408 was never heard by the Committees referred to in the bill.

-- On May 18, the Executive Director met with an unusual visitor; he was Major General Iosif Lucian Culda, Deputy Chief of Staff of the Romanian Army, who hoped to gain an awareness

of American Indian tribes, their culture and practical functioning within the Arizona political system. Major General Culda's visit was sponsored locally by the World Affairs Council.

-- On June 19, 1991 the Executive Director received the following letter from Diane C. Dankerl indicating her intention to resign as Administrative Assistant:

> "Pursuant to our previous discussions, this letter is to formally advise you that I have decided to retire from State Service after thirty-two years of which thirty (30) were with the Commission of Indian Affairs.
>
> The years of working with you and others as well as Commissioners will always be remembered as a highlight in my career and I sincerely want to say "thanks for giving me the opportunity to grow and develop with the Agency."
>
> This is a sad as well as happy time in my life, as I plan to leave one career and begin another in the science of cosmetology.
>
> The effective date of my retirement will be June 28, 1991 at 5:00 P.M., however, as we discussed, I look forward to returning to the Agency July 3, 1991 as a "Seasonal Recent Retiree" to assist in the completion of numerous projects as well as the transitional period until November 22, 1991.
>
> I have truly appreciated the privilege of working with you and the Indian people".

-- During this fiscal year, the Executive Director and/or Field Coordinator attended the following meetings: Phoenix Commission on Human Relations Board meetings; Board of Directors for the Area Agency on Aging; Community Council Board meetings; Phoenix Indian High School Land Use Planning meetings; House and Senate Appropriations sub-committee hearings; U.S. Census local community meetings; Inter-tribal Council of Arizona; House Government Operations Committee hearing; Affirmative Action agency meeting; DEQ Tribal Affairs Steering-Committee; Area Agency on Aging Joint Planning Committee; Indian Town Hall Planning Committee meetings; Korean War Memorial Dedication; North American Indian Court Judges Conference; Governor's Prayer Breakfast; Advisory Committee on Endownment Funds for U. of A. Graduate Students; State-Tribal Jurisdiction Conference; Arizona Strategic Planning on Economic Development (ASPED); Arizona Commission on the Columbus Centennial; Governor's Support Recognition

Reception; 44th Annual Community Council Luncheon; Inter-Agency Environmental Quality meeting; Indian Education meeting on the White House Conference on Indian Education; Older Americans Act Workshop; Hopi Law Enforcement and Human Resource Committee; Governor's Conference on Aging; Governor's Executive Leaders' Seminar and Orientation; San Carlos Tribal Inaugural Ceremony; Reception for Newly-elected Navajo President Peterson Zah; Strategic Planning Session on "Duro" Legislation; Arizona Court Forum; 1st Annual Four Corners American Indian Commissions Conference; Grant Proposal Workshop; Pupil At-Risk Education Hearing; Native American Alcoholism Summit Conference; Arizona Outdoor Recreation Coordinating Council Meeting.

-- Speaking engagements included: a radio-TV personnel orientation session on Native American issues and concerns; taping for TV airing on tribal involvement on the 5th Columbus Centenary; presentation to ASU-West students on Indian culture/history; grievance procedure seminar for White Mountain Apache Tribal personnel.

-- Visits were made with officials and in some cases, tribal councils of the following tribes: Ak-Chin, Camp Verde, Cocopah, Colorado River, Fort McDowell, Fort Mojave, Fort Yuma, Gila River, Hopi, Hualapai, Kaibab-Paiute, Navajo, Pascua Yaqui, Salt River, San Carlos, Tohono O'Odham, Tonto Apache, White Mountain Apache, and Yavapai-Prescott Tribes.

-- Staff also hosted visits of Indian youth groups from the Gila River and Colorado River Indian Tribes by providing information to them on the functions of the Commission and Indian affairs.

-- The Administrative Assistant represented the Executive Director at: Arizona Department of Administration's Health Insurance Seminars and Liaison meetings; State Employees' Clean Air Campaign; DOA State Employees Blood Drive Campaign meeting; Senate and House Appropriations Sub-Committee Hearings with Executive Director; DOA Personnel Coordinators meetings; DOA Facilities Liaison meetings; House Government Operations and Senate Government Committee Hearings; EPAS (Employee Performance Appraisal System) Workshop; HRMS (Human Resource Management System) Payroll and Personnel Workshops; Arizona Savings and Credit Union Board meetings as a member of the Board of Directors; and a seminar on mail/telephone bomb threats.

V. RESOURCE ANALYSIS

While the Commission of Indian Affairs has effectively and consistently managed to maintain its operation within the law and executive guidelines, a cursory examination show that the Commission achieved this despite very limited budget

allocations. For instance, over a ten year span (1981-1990), the amount of funds appropriated for the Commission increased from a low of $117,000 to a high of $155,000 per year (see Appendix G). This means that correspondingly, the average rate of increase in the Commission's budget rose by only 2.5% each year over the 10 year period. The Commission's budget and expenditures for the past year is indicated below:

C O M M I S S I O N ' S B U D G E T F O R F Y 1990-91

	TOTAL BUDGET	EXPENDITURES	BALANCE
Personal Services	$111,100.00	$101,468.66	$ 9,631.34
Employee Related Expend (Employer pd. benefits)	27,000.00	24,870.47	2,129.53
Travel - State (Commissioners & Staff)	11,600.00	7,904.26	3,695.74
Travel - Out of State	-0-	171.72	(171.72)
Other Operating Expend	14,400.00	18,651.48	(4,251.48)
Equipment (Fax, Savin Copier, Computer)	-0-	11,011.63	(11,011.63)
T O T A L S	$164,100.00	$164,078.22	$ 21.78

* This Lump Sum Appropriation/Budget allows much flexibility.
* The Commission's Publications Revolving Fund Account Balance is $550.00
(This Account does not revert at the end of the fiscal year).

Due to incongruous and unclear economic forecasts of State revenues for the next three years, the Commission does not foresee a substantial increase in its budget in the near future. On the other hand, the agency can expect to see another request for a contingency budget reduction plan for the coming year.

In anticipation of budget cutbacks, the Commission and its staff will continue to utilize existing resources and mechanisms such as it has displayed throughout this past fiscal year, and will create alternative methods in order to step up its inter-governmental communication effort in order to attain its goals. Innovative methods will be similar to those already experienced by Commission staff; e.g., this past year, in close cooperation with the Executive Budget Office,

staff obtained a used but suitable computer system to improve its communications and was able to develop plans and push for a separate Revolving Fund Account through the legislative process as a means of cutting printing costs. As another example, when staff struggled without a full-time Administrative Secretary, the resulting salary saving was used to purchase a new computer system. In addition, the Commission displayed its capability to perform cost-saving measures when its staff gained support and cooperation from other agencies in the use of their facilities and personnel for the law enforcement regional seminars.

VI. CONCLUSION

It is only appropriate that this report conclude with a note on cost saving methods to achieve goals and objectives in a more efficient manner, primarily because our agency concurs with one of the concepts of the Government Productivity Program which is stated in the following words: "Our responsibility as public officials is to manage both growth and resources in an effective and efficient manner. There is no one solution to the growth dilemma". By the same token, the Agency believes that neither is there a single answer for obtaining additional resources in order to adequately serve the public.

State Government, and consequently the Indian Affairs Commission, are passing through rough economic times and the reality is that they are being challenged as never before to perform more efficiently and develop higher work standards through "good, sound professional management and positive motivation".

The Commission and staff intend to accept this challenge.

VII - RECOMMENDATIONS

As a result of its working relationships with State and Tribal Governments, and communications with Federal and Local Government Agencies in carrying out its Annual Work Plan, the Commission staff has collected considerable data from which many recommendations can be garnered.

However, in direct relation to its goals and objectives the more important suggestions which can and should be aggressively pursued by appropriate government officials and policy-making bodies are the following:

A. Continue to encourage and coordinate plans for the signing of a State-Tribal Government-to-Government Relations Policy Proclamation between each tribal leader and the Governor.

B. Encourage involvement of State agencies and departments in planning for implementation of the State-Tribal Government-to-Government Relations Policy as a means of complementing and reinforcing intergovernmental agreements.

C. Recognize and enforce through legislative measures tribal court orders for involuntary commitments of a "gravely disabled patient."

D. Promote innovative economic development approaches to financing of private business enterprise on Indian lands in cooperation with the various tribes.

E. Provide for Indian tribes to be designated as eligible participants in enterprise zones.

F. Step up talks on compacts between representatives of Indian gaming tribes and State Government.

G. Support legislation to amend the Indian Tax Status Act providing tribes as governments with the same tax exemptions as that provided to State and Local Governments.

H. Provide leadership toward a more flexible approach in dealing with unique regulatory problems being experienced among local school districts, tribal councils, and Federal Agencies; i.e., with respect to overlapping governmental administrations, competing jurisdictions, conflicting "Indian Education" authorities, etc.

I. Similar to a measure being proposed in the State of Washington, consider the concept of having the Arizona tribes select two persons to serve as delegates representing the tribes in the House of Representatives and two persons to serve as delegates representing the tribes in the Senate of the Arizona Legislature, to provide important historical and cultural perspective to the deliberations of the legislative branch of State government.

J. Increase funding for financial assistance of economic development projects on Indian reservations as set forth in ARS Secs. 41-1505.07 and 41-1509 under the oil overcharge fund.

K. Encourage tribes to strengthen their tribal governance capabilities by creating, expanding, and imposing legislation in the regulation and protection of their reservation property and resources.

L. Promote and assist individual tribal governance capabilities.

M. Initiate action to extend the full faith and credit clause to the records, acts, and judicial proceedings of the courts and magistrates of the Arizona tribes.

FY 90-91
GOALS, OBJECTIVES, ACTION STEPS

GOALS	OBJECTIVES	ACTION STEPS	RSP.ORG	DEPENDS ON
I. To provide information on current Federal legislative proposals and State-related matters needed by State, Tribal, Federal and Local agencies.	A. By October 31, 1990 the Commission will develop, conduct and evaluate the 13th Annual Indian Town Hall which will focus on issues entailed in Federal legislative initiatives and certain State-Tribal government-to-government proposals.	1. Determine time and place of the conference and establish objectives and evaluation criteria. Carry out library research on the topic selected.	ACIA	
		2. Draft tentive agenda, contact possible speakers and send out invitations.	ACIA	State, Tribal, & Federal Agencies
		3. Design and finalize agenda, brochure and mail to participants and confirm attendance of speakers.	ACIA	"
		4. Carry out the Indian Town Hall and begin evaluation procedure, transcribing of the proceedings and drafting and editing of a report.	ACIA	
		5. Print sufficient copies of report for dissemination to participants and policymakers of the government agencies at the tribal, state and federal level.	ACIA	Funding
II. To continue to support & coordinate a Baseline Economic Analysis of Selected Indian Reservations in cooperation with	A. By June 30, 1991 the Commission will generate interest in and promote participation of the Tribes by providing pertinent information and coordinating communication among the	1. Assist the professional consultant of the project by: (a) promoting interest and encouraging the participation of the 20 Arizona Tribes with visits to the Indian reservations; (b) conducting informational meetings on the study; (c) coordina-	ACIA	Indian Tribes

FY 90-91
GOALS, OBJECTIVES, ACTION STEPS

GOALS	OBJECTIVES	ACTION STEPS	RSP.ORG	DEPENDS ON
II. the Hopi Tribe and other organizations involved.	principals involved in the Baseline Economic research project, by visiting the Indian reservations participating in the Statewide program, assisting the Consultant and oversight Committee wherever possible and providing research of project funds.	ting communication among the parties involved; (d) providing research of possible funding sources, and (d) assisting the consultant and oversight committee wherever possible.		
		2. Make preliminary inquiries of tribal leaders and councils, help solicit tribes for their support and seek their direct participation as part of the study group; help aid in organizing an oversight committee and facilitate meetings between consultant and tribal representatives.	ACIA	Arizona Indian Tribes
		3. Upon completion of the research design Commission staff will support and coordinate efforts to submit applications for funding of the project, and assist in making inquiries of selected foundations or government agencies on availability of research grants/contracts.	ACIA	Project Consultant
		4. After notification of funding approval is received, Commission will assist with liaison duties in coordinating project activities between the Consultant, oversight committee, Commission and Tribes involved in the Study.	ACIA	Participants of the Projec

FY 90-91
GOALS, OBJECTIVES, ACTION STEPS

GOALS	OBJECTIVES	ACTION STEPS	RSP.ORG	DEPENDS ON
III. To promote improved working relationships with AHCCCS in support of their responsibilities to Indian tribes of this State.	A. By June 30, 1991 the Commission of Indian Affairs will foster understanding of and assist in generating Indian participation in AHCCCS programs by holding a statewide conference to educate, develop long-range goals and form a common strategy to promote a safe health care environment in Native American communities.	1. In direct cooperation with AHCCCS personnel, examine the latest developments and status of AHCCCS programs regarding Indian clients to determine an appropriate topic, tentative agenda, goals and evaluation standards for a statewide conference; set a place and date of the meeting.	ACIA	AHCCCS Personnel
		2. Finalize an agenda and brochure, contact possible speakers and/or consultants and mail out invitations to possible participants.	ACIA	Tribal Personnel & other health care providers. Conference Participants
		3. Conduct the Conference and begin evaluation process, transcribe proceedings and rough draft a report of the event and edit.	ACIA	
		4. Print and distribute copies of the report.	ACIA	
IV. To improve communication and promote cooperation and coordination in the development of effective law enforcement programs among the Tribes and the various jurisdictions in the State.	A. By January 10, 1991 the Commission will sponsor a series of meetings throughout the State in key geographical locations for the purpose of generating discussion on certain law enforcement problem areas among tribal and non-tribal government agencies, and	1. In consultation with tribal and local law enforcement officials, plan, schedule, organize and set an itinerary of seminars to be conducted in key areas of the State.	ACIA	State, Tribal, Federal & Local agencies
		2. Co-sponsor and conduct no less than five are-wide workshops where local law enforcement issues and concerns may be raised and exchanged,		

FY 90-91
GOALS, OBJECTIVES, ACTION STEPS

GOALS	OBJECTIVES	ACTION STEPS	RSP.ORG	DEPENDS ON
IV.	recommending legislation aimed at resolving some of the concerns raised such as the increased influx of illegal drugs on Indian reservations and lack of data to support tribal contentions.	information disseminated, policy reform considered, and strategies for cooperative efforts recommended.	ACIA	Tribes & local agencies
		3. Study, compile, and evaluate current data and potential solutions to law enforcement issues which could be the basis for discussion at the area-wide meetings.	ACIA	
		4. Continue to work with tribal and local law enforcement groups through informational meetings, newsletters, sharing of reports and copies of other publications, and discussions on longterm legislative priorities.	ACIA	Participants of the meetings
	B. By June 30, 1991 the Commission will assist in developing a common public policy agenda which prioritizes legislation needed to overcome conflicting issues between Indian and non-Indian law enforcement agencies and jurisdictions.	1. Actively promote the introduction of proposed legislation which addresses the areas of friction brought up by local and tribal law enforcement officials at the area wide seminars.	ACIA	Participants of meetings & their reps.
		2. Co-sponsor and convene a conference between legislators, Governor's office, tribal, federal, state and local law enforcement officials, representatives of law enforcement organizations and interest groups to share information and discuss an action agenda for the introduction	ACIA	Participants

FY 90-91
GOALS, OBJECTIVES, ACTION STEPS

GOALS	OBJECTIVES	ACTION STEPS	RSP.ORG	DEPENDS ON
IV.	B.	of a bill designed to relieve jurisdictional conflicts, contradictory police problems, opposing operational methods, or overlapping responsibilities between tribal and other law enforcement agencies.		
		3. Encourage grassroots lobbying and testimony and facilitate opportunities for tribal leaders and law enforcement participants to speak to the public and to the legislators at hearings on the proposed reform package.	ACIA	Tribes & other law enforcem't agencies
		4. Monitor the status of the proposed bill sanctioned by Indian and non-Indian law enforcement officials and provide updates of the bill as needed.	ACIA	Legislators

APPENDIX B

STATE OF ARIZONA
40th LEGISLATURE
FIRST REGULAR SESSION

REFERENCE TITLE: Indian affairs; holiday; office

HOUSE

HB 2385

Introduced
February 13, 1991

Referred on February 13, 1991

Rules

GOVERNMENT OPERATIONS

APPROPRIATIONS

Introduced by
Representatives Jackson, Hanley, Senator Henderson: Representatives Brown, Kennedy, McLendon

AN ACT

AMENDING TITLE 1, CHAPTER 3, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 1-307; AMENDING TITLE 41, CHAPTER 3, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 4.1; AMENDING SECTIONS 41-2368.05 AND 41-2368.07, ARIZONA REVISED STATUTES; REPEALING SECTIONS 36-2902.01 AND 36-2902.02, TITLE 41, CHAPTER 3, ARTICLE 4, ARIZONA REVISED STATUTES, AND LAWS 1989, CHAPTER 271, SECTION 4; MAKING AN APPROPRIATION; PROVIDING FOR DELAYED REPEAL OF TITLE 41, CHAPTER 3, ARTICLE 4.1, ARIZONA REVISED STATUTES; RELATING TO INDIAN AFFAIRS.

Be it enacted by the Legislature of the State of Arizona:

Section 1. Purpose

1. The purpose of the office of Indian affairs is to coordinate Indian affairs and review agreements between this state and Indian tribes.

2. The legislature recognizes that twenty American Indian tribes reside on reservations within this state and that each tribe maintains its own tribal sovereignty and cultural identification and promotes the protection of human rights and the preservation of natural resources. The legislature further recognizes that the culture and human and natural resources of these tribes have contributed and will continue to contribute significantly to the growth and development of this state and its communities. Because many of these contributions are unknown and unrecognized by the people of the state, the legislature is establishing an American Indian day to promote a better understanding and appreciation of the contributions made by American Indians to this state.

Sec. 2. Title 1, chapter 3, article 1, Arizona Revised Statutes, is amended by adding section 1-307, to read:

1-307. American Indian week; proclamation

A. THE FIRST WEEK IN FEBRUARY SHALL BE KNOWN AS AMERICAN INDIAN WEEK.

B. THE GOVERNOR SHALL MAKE A PROCLAMATION OF AMERICAN INDIAN WEEK AND SHALL RECOMMEND THAT THE WEEK BE OBSERVED WITH SUITABLE CEREMONY AND FELLOWSHIP DESIGNED TO PROMOTE UNDERSTANDING AND BROTHERHOOD BETWEEN ALL PEOPLES IN THIS STATE. THE WEEK SHALL PROVIDE AN OPPORTUNITY FOR THE GOVERNOR, LEGISLATORS, OTHER ELECTED STATE OFFICIALS AND AGENCY OFFICIALS TO MEET AND CONFER WITH OFFICIALS AND REPRESENTATIVES OF AMERICAN INDIAN TRIBES IN THIS STATE. THE GOVERNOR SHALL ENCOURAGE SCHOOLS, CLUBS AND CIVIC AND RELIGIOUS ORGANIZATIONS TO RECOGNIZE THE CONTRIBUTIONS OF AMERICAN INDIANS TO THIS STATE THROUGH UNDERTAKINGS IN HARMONY WITH THE CHARACTER OF THE DAY.

Sec. 3. Repeal

A. Sections 36-2902.01 and 36-2902.02, Arizona Revised Statutes, are repealed.

B. Title 41, chapter 3, article 4, Arizona Revised Statutes, is repealed.

C. Laws 1989, chapter 271, section 4 is repealed.

Sec. 4. Title 41, chapter 3, Arizona Revised Statutes, is amended by adding article 4.1, to read:

ARTICLE 4.1. OFFICE OF INDIAN AFFAIRS

41-551. Definitions

IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

1. "DIRECTOR" MEANS THE DIRECTOR OF THE OFFICE.

2. "INDIAN TRIBE" MEANS ANY ORGANIZATION OF INDIANS THAT IS RECOGNIZED BY THE UNITED STATES GOVERNMENT AS ELIGIBLE FOR THE SERVICES AND ASSISTANCE PROVIDED TO INDIANS BECAUSE OF THEIR STATUS AS INDIANS.

3. "OFFICE" MEANS THE OFFICE OF INDIAN AFFAIRS.

41-552. Office of Indian affairs; director

A. THE OFFICE OF INDIAN AFFAIRS IS ESTABLISHED.

B. THE GOVERNOR SHALL APPOINT A DIRECTOR OF THE OFFICE PURSUANT TO SECTION 38-211 TO SERVE AT THE PLEASURE OF THE GOVERNOR.

C. THE DIRECTOR IS ELIGIBLE TO RECEIVE COMPENSATION AS DETERMINED UNDER SECTION 38-611.

41-553. Powers and duties; information

A. THE DEPARTMENT SHALL:

1. REVIEW AND FINALIZE ALL CONTRACTUAL AGREEMENTS BETWEEN ANY STATE AGENCY AND INDIAN TRIBE. STATE AGENCIES SHALL SUBMIT ALL SUCH INTERGOVERNMENTAL AGREEMENTS TO THE OFFICE FOR ITS APPROVAL. AFTER THE EFFECTIVE DATE OF THIS ARTICLE ANY SUCH INTERGOVERNMENTAL AGREEMENT ENTERED INTO WITHOUT THE OFFICE'S REVIEW AND APPROVAL IS NOT BINDING.

2. COORDINATE AND MONITOR ALL ACTIVITIES BETWEEN STATE AGENCIES AND INDIAN TRIBES.

3. ADOPT RULES IT DEEMS NECESSARY OR DESIRABLE TO FURTHER THE OBJECTIVES AND PROGRAMS OF THE OFFICE.

4. FORMULATE POLICIES, PLANS AND PROGRAMS TO EFFECTUATE THE PURPOSES OF THE OFFICE.

5. EMPLOY, DETERMINE THE CONDITIONS OF EMPLOYMENT AND PRESCRIBE THE DUTIES AND POWERS OF ADMINISTRATIVE, PROFESSIONAL, TECHNICAL, SECRETARIAL AND CLERICAL STAFF AND OTHER PERSONS AS MAY BE NECESSARY TO PERFORM ITS

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DUTIES AND CONTRACT FOR THE SERVICES OF OUTSIDE ADVISORS, CONSULTANTS AND AIDES AS MAY BE REASONABLY NECESSARY.

6. MAKE CONTRACTS AND INCUR OBLIGATIONS WITHIN THE GENERAL SCOPE OF ITS ACTIVITIES AND OPERATIONS SUBJECT TO THE AVAILABILITY OF MONIES.

7. SUBJECT TO SECTION 35-149, ACCEPT, SPEND AND ACCOUNT FOR GRANTS, MONIES AND DIRECT PAYMENTS FROM PUBLIC OR PRIVATE SOURCES AND OTHER GRANTS OF MONEY OR PROPERTY TO CONDUCT PROGRAMS THAT ARE CONSISTENT WITH THE OVERALL PURPOSES AND OBJECTIVES OF THE OFFICE.

8. PROVIDE INFORMATION AND ADVICE ON REQUEST BY LOCAL, STATE AND FEDERAL AGENCIES AND BY PRIVATE CITIZENS, BUSINESS ENTERPRISES AND COMMUNITY ORGANIZATIONS ON MATTERS WITHIN THE SCOPE OF ITS DUTIES SUBJECT TO ITS RULES ON THE CONFIDENTIALITY OF INFORMATION.

9. ESTABLISH AND MAINTAIN FINANCIAL ACCOUNTS AS REQUIRED BY FEDERAL LAW OR REGULATIONS.

10. CONFER WITH TRIBAL LEADERS TO DISCUSS STATE POLICIES, PROGRAMS AND PROCEDURES AND THIS STATE'S PERSPECTIVE ON FEDERAL AND TRIBAL POLICIES, PROGRAMS AND PROCEDURES.

11. REVIEW CURRENT STATUTES, PROPOSED LEGISLATION AND ADMINISTRATIVE PRACTICES OF THIS STATE TO DETERMINE WHETHER TRIBAL GOVERNMENTS ARE IMPACTED AND WHETHER THEY SHOULD BE INCLUDED FOR BENEFIT UNDER PROGRAMS AUTHORIZED BY LAW WITHOUT ADVERSELY IMPACTING STATE INTERESTS.

12. ADVISE WITH AND MAKE RECOMMENDATIONS TO THE INDIAN TRIBES, STATE AGENCIES, GOVERNOR AND LEGISLATURE ON ALL MATTERS THAT HAVE AN IMPACT ON INDIAN TRIBES AND TRIBAL MEMBERS. THESE MATTERS INCLUDE STATE PROGRAMS THAT COULD BE EXPANDED TO ALLOW THE VOLUNTARY PARTICIPATION BY INDIAN TRIBES.

13. HAVE AN OFFICIAL SEAL THAT SHALL BE JUDICIALLY NOTICED.

B. STATE AND LOCAL PUBLIC OFFICERS AND EMPLOYEES, ON REQUEST, SHALL FURNISH THE OFFICE WITH INFORMATION THAT IT MAY REQUIRE FOR ITS PURPOSES EXCEPT INFORMATION THAT IS NOT SUBJECT TO DISCLOSURE PURSUANT TO LAW.

41-554. Advisory committee; members

THE GOVERNOR MAY APPOINT FROM A LIST OF NOMINEES PROVIDED BY TRIBAL GOVERNMENT AN ADVISORY COMMITTEE. MEMBERS OF THE COMMITTEE SHALL BE ENROLLED MEMBERS OF INDIAN TRIBES IN THIS STATE THAT HAVE INTERGOVERNMENTAL AGREEMENTS WITH THIS STATE OR ITS POLITICAL SUBDIVISIONS.

Sec. 5. Section 41-2368.05, Arizona Revised Statutes, is amended to read:

41-2368.05. Schedule for termination July 1, 1999

A. The following agencies shall terminate on July 1, 1999:

1. The governor's council on developmental disabilities.

~~2. The Arizona commission of Indian affairs.~~

~~3.~~ 2. The Arizona conservation corps commission.

~~4.~~ 3. The state board for vocational and technological education.

B. If the wastewater management authority of Arizona has no outstanding contractual obligations with the United States or any United States agency and has no debts, obligations or guarantees which were issued for the purposes of title 49, chapter 2, article 11, or if the

BEST COPY AVAILABLE

authority has made other provisions to pay or retire such debts or obligations, the wastewater management authority of Arizona terminates on July 1, 1999. If such contractual debts or obligations exist and no satisfactory provision has been made to pay or retire such debts or obligations, the authority shall continue in existence until such debts or obligations are fully satisfied.

Sec. 6. Section 41-2368.07, Arizona Revised Statutes, is amended to read:

41-2368.07. Schedule for termination July 1, 2001

The following agencies shall terminate on July 1, 2001:

1. The Arizona department of agriculture and all divisions, offices, councils and committees organized within the department.

2. THE OFFICE OF INDIAN AFFAIRS.

Sec. 7. Delayed repeal

Title 41, chapter 3, article 4.1, Arizona Revised Statutes, is repealed on January 1, 2002.

Sec. 8. Appropriation; purpose

A. The sum of one hundred fifty-nine thousand dollars is appropriated from the state general fund to the office of Indian affairs for the purposes provided in this act.

B. The sum of ninety-nine thousand dollars is appropriated from the state general fund to the Arizona health care cost containment system that shall allocate the monies to the office of Indian affairs for the purposes of health care issues.

C. The appropriations made in subsections A and B of this section are exempt from the provisions of section 35-190, Arizona Revised Statutes, relating to lapsing of appropriations.

APPENDIX C

STATE OF ARIZONA
40th LEGISLATURE
FIRST REGULAR SESSION

REFERENCE TITLE: Indian affairs; office; appropriation

SENATE

SB 1408

Introduced
February 12, 1991

Referred on February 19, 1991

Rules

Government and Public Safety

Appropriations

Introduced By
Senator Henderson

AN ACT

AMENDING TITLE 41, CHAPTER 3, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 4.1; AMENDING SECTIONS 41-2368.05 AND 41-2368.07, ARIZONA REVISED STATUTES; REPEALING SECTIONS 36-2902.01 AND 36-2902.02 AND TITLE 41, CHAPTER 3, ARTICLE 4, ARIZONA REVISED STATUTES; REPEALING LAWS 1989, CHAPTER 271, SECTION 4; PROVIDING FOR DELAYED REPEAL OF TITLE 41, CHAPTER 3, ARTICLE 4.1, ARIZONA REVISED STATUTES; MAKING AN APPROPRIATION; RELATING TO INDIAN AFFAIRS.

Be it enacted by the Legislature of the State of Arizona:

Section 1. Purpose

The purpose of the governor's office of Indian affairs is to coordinate Indian affairs and review agreements between this state and Indian tribes.

Sec. 2. Repeal

A. Sections 36-2902.01 and 36-2902.02, Arizona Revised Statutes, are repealed.

B. Title 41, chapter 3, article 4, Arizona Revised Statutes, is repealed.

C. Laws 1989, chapter 271, section 4 is repealed.

Sec. 3. Title 41, chapter 3, Arizona Revised Statutes, is amended by adding article 4.1, to read:

ARTICLE 4.1. GOVERNOR'S OFFICE OF INDIAN AFFAIRS

41-551. Definitions

IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

1. "DIRECTOR" MEANS THE DIRECTOR OF THE OFFICE.

2. "INDIAN TRIBE" MEANS ANY ORGANIZATION OF INDIANS THAT IS RECOGNIZED BY THE UNITED STATES GOVERNMENT AS ELIGIBLE FOR THE SERVICES AND ASSISTANCE PROVIDED TO INDIANS BECAUSE OF THEIR STATUS AS INDIANS.

3. "OFFICE" MEANS THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS.

41-552. Office of Indian affairs; director

A. THE OFFICE OF INDIAN AFFAIRS IS ESTABLISHED.

B. THE GOVERNOR SHALL APPOINT A DIRECTOR OF THE OFFICE PURSUANT TO SECTION 38-211 TO SERVE AT THE PLEASURE OF THE GOVERNOR.

C. THE DIRECTOR IS ELIGIBLE TO RECEIVE COMPENSATION AS DETERMINED UNDER SECTION 38-611.

41-553. Powers and duties; information

A. THE OFFICE SHALL:

1. ASSIST AND SUPPORT STATE AND FEDERAL AGENCIES IN ASSISTING INDIANS AND TRIBAL COUNCILS IN THIS STATE TO DEVELOP MUTUAL GOALS, TO DESIGN PROJECTS FOR ACHIEVING GOALS AND TO IMPLEMENT THEIR PLANS.

2. ASSEMBLE AND MAKE AVAILABLE FACTS NEEDED BY TRIBAL, STATE AND FEDERAL AGENCIES TO WORK TOGETHER EFFECTIVELY.

3. CONFER AND COORDINATE WITH OFFICIALS AND AGENCIES OF OTHER GOVERNMENTAL UNITS AND LEGISLATIVE COMMITTEES REGARDING INDIAN NEEDS AND GOALS.

4. WORK FOR GREATER UNDERSTANDING AND IMPROVED RELATIONSHIPS BETWEEN INDIANS AND NON-INDIANS BY CREATING AN AWARENESS OF THE LEGAL, SOCIAL AND ECONOMIC NEEDS OF INDIANS IN THIS STATE.

5. PROMOTE INCREASED PARTICIPATION BY INDIANS IN LOCAL AND STATE AFFAIRS.

6. ASSIST TRIBAL GROUPS IN DEVELOPING INCREASINGLY EFFECTIVE METHODS OF SELF-GOVERNMENT.

7. ADOPT RULES IT DEEMS NECESSARY OR DESIRABLE TO FURTHER THE OBJECTIVES AND PROGRAMS OF THE DEPARTMENT.

8. FORMULATE POLICIES, PLANS AND PROGRAMS TO EFFECTUATE THE PURPOSES OF THE DEPARTMENT.

9. EMPLOY, DETERMINE THE CONDITIONS OF EMPLOYMENT AND PRESCRIBE THE DUTIES AND POWERS OF ADMINISTRATIVE, PROFESSIONAL, TECHNICAL, SECRETARIAL, CLERICAL AND OTHER PERSONS AS MAY BE NECESSARY IN THE PERFORMANCE OF ITS DUTIES AND CONTRACT FOR THE SERVICES OF OUTSIDE ADVISORS, CONSULTANTS AND AIDES AS MAY BE REASONABLY NECESSARY.

10. MAKE CONTRACTS AND INCUR OBLIGATIONS WITHIN THE GENERAL SCOPE OF ITS ACTIVITIES AND OPERATIONS SUBJECT TO THE AVAILABILITY OF MONIES.

11. SUBJECT TO SECTION 35-149, ACCEPT, EXPEND AND ACCOUNT FOR GRANTS, FUNDS AND DIRECT PAYMENTS FROM PUBLIC OR PRIVATE SOURCES AND OTHER GRANTS OF MONEY OR PROPERTY FOR THE CONDUCT OF PROGRAMS THAT ARE CONSISTENT WITH THE OVERALL PURPOSES AND OBJECTIVES OF THE DEPARTMENT.

12. PROVIDE INFORMATION AND ADVICE ON REQUEST BY LOCAL, STATE AND FEDERAL AGENCIES AND BY PRIVATE CITIZENS, BUSINESS ENTERPRISES AND COMMUNITY ORGANIZATIONS ON MATTERS WITHIN THE SCOPE OF ITS DUTIES SUBJECT TO THE RULES ON THE CONFIDENTIALITY OF INFORMATION.

13. ESTABLISH AND MAINTAIN FINANCIAL ACCOUNTS AS REQUIRED BY FEDERAL LAW OR REGULATIONS.

14. ADVISE WITH AND MAKE RECOMMENDATIONS TO THE GOVERNOR AND THE LEGISLATURE ON ALL MATTERS CONCERNING ITS OBJECTIVES.

15. HAVE AN OFFICIAL SEAL THAT SHALL BE JUDICIALLY NOTICED.

B. STATE AND LOCAL PUBLIC OFFICERS AND EMPLOYEES, ON REQUEST, SHALL FURNISH THE OFFICE WITH INFORMATION THAT IT MAY REQUIRE FOR ITS PURPOSES EXCEPT INFORMATION THAT IS NOT SUBJECT TO DISCLOSURE PURSUANT TO LAW.

C. THE OFFICE MAY INITIATE OR ASSIST PROGRAMS ON A RESERVATION ONLY ON THE REQUEST OR WITH THE APPROVAL OF THE TRIBAL COUNCIL FOR THE RESERVATION.

D. THE OFFICE MAY PUBLISH AN ANNUAL DIRECTORY OF TRIBAL GOVERNMENTS IN THIS STATE AND OTHER TRIBAL AND INDIAN RELATED ORGANIZATIONS AND ENTITIES. THE OFFICE SHALL CHARGE A FEE FOR NONGOVERNMENTAL DISTRIBUTION OF THE DIRECTORY AND OTHER OFFICE PUBLICATIONS BASED ON THE COSTS OF COMPILING, PUBLISHING AND DISTRIBUTING THE DIRECTORY AND OTHER OFFICE PUBLICATIONS.

41-545. Indian affairs publications fund

AN INDIAN AFFAIRS PUBLICATIONS FUND IS ESTABLISHED IN THE STATE TREASURY CONSISTING OF MONIES RECEIVED FROM THE SALE OF PUBLICATIONS PURSUANT TO SECTION 41-543 TO PRODUCE AND DISTRIBUTE PUBLICATIONS. THE OFFICE SHALL ADMINISTER THE FUND. ON NOTICE FROM THE OFFICE THE STATE TREASURER SHALL INVEST AND DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED FROM INVESTMENT SHALL BE CREDITED TO THE FUND. THE OFFICE SHALL ANNUALLY ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION FOR ITS USE OF THE MONIES IN THE FUND. MONIES IN THE FUND OF FIFTEEN THOUSAND DOLLARS OR LESS ARE EXEMPT FROM SECTION 35-190 RELATING TO LAPSING OF MONIES.

Sec. 4. Section 41-2368.05, Arizona Revised Statutes, is amended to read:

41-2368.05. Schedule for termination July 1, 1999

A. The following agencies shall terminate on July 1, 1999:

1. The governor's council on developmental disabilities.

~~2. The Arizona commission of Indian affairs.~~

~~3.~~ 2. The Arizona conservation corps commission.

~~4.~~ 3. The state board for vocational and technological education.

B. If the wastewater management authority of Arizona has no outstanding contractual obligations with the United States or any United States agency and has no debts, obligations or guarantees which were issued for the purposes of title 49, chapter 2, article 11, or if the authority has made other provisions to pay or retire such debts or obligations, the wastewater management authority of Arizona terminates on July 1, 1999. If such contractual debts or obligations exist and no satisfactory provision has been made to pay or retire such debts or obligations, the authority shall continue in existence until such debts or obligations are fully satisfied.

Sec. 5. Section 41-2368.07, Arizona Revised Statutes, is amended to read:

41-2368.07. Schedule for termination July 1, 2001

The following agencies shall terminate on July 1, 2001:

1. The Arizona department of agriculture and all divisions, offices, councils and committees organized within the department.

2. THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS.

Sec. 6. Delayed repeal

Title 41, chapter 3, article 4.1, Arizona Revised Statutes, is repealed on January 1, 2002.

Sec. 7. Appropriation; purpose

The sum of one hundred fifty-two thousand one hundred sixty dollars is appropriated from the state general fund to the governor's office of Indian affairs for the purposes provided in this act.

ARIZONA TRIBAL PRIORITY LIST OF ISSUES *

1. ECONOMIC DEVELOPMENT - "Indian reservations should be considered as "enormous financial assets" by the State and join forces to build stronger regional economies with the tribes."

a. Taxation:

- permit revenue-sharing with the tribes
- exempt Indian tribes as governments from such taxes as Excise Motor Fuel or Underground Storage Tank taxes.
- resolve imposition of dual taxation of businesses on Indian reservations.
- Most Indian reservations or tribes contribute substantially into State coffers in terms of taxes paid by major businesses operating on Indian reservations

b. Gaming:

- Indian gaming tribes are seeking approval of compacts with the State on Class III gaming as required under Federal law
- the State of Arizona needs to begin negotiating with these tribes on such compacts which include matters dealing with jurisdiction, types of games permitted, licensing, law enforcement, inspections, audit, betting limits, fees for public services, etc.

c. Lottery:

- Since Indian people throughout the State participate in the State lottery and Indian tribes are governments similar to cities and towns, Indian people as citizens of the State should also share in lottery proceeds (e.g., Arizona Heritage Trust Fund operated by the Arizona Outdoor Recreation Coordinating Commission).

d. New Land Acquisition:

- Any new land added to an Indian reservation is a plus for economic development for large tribes, but also a social one for small tribes who need additional acreage for growing populations (Cocopah Tribe, as an example).

e. Waste Management Facilities:

- Although many tribes are opposed to waste management programs operated by outside interests on their reservation lands, others view certain waste management projects as revenue-enhancing enterprises important to their economy, for want of alternatives in developing their economy.

f. Ensco Project:

- Direct consultation with the Ak-Chin Tribe with regard to the transportation of hazardous waste through their reservation land, definitely needs to take place between the STate and the Tribe.

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* Compiled by the ARIZONA COMMISSION OF INDIAN AFFAIRS - 2/1/91
T. Machukay & H. Chough

2. GOVERNMENT-TO-GOVERNMENT RELATIONSHIP - Indian tribes are not mere citizens of the State -- they are "quasi-sovereign" governments and believed to be of equal status to State governments.

- State relationships with the Indian tribes officially began in 1953 when the Arizona Commission of Indian Affairs was established by the State legislature.

- Since that time, recognition and presence of Indian tribes as sovereign entities to be contended with in Arizona has been advanced in many ways by the Commission through such mechanisms as statewide conferences, publications, interagency meetings, tribal surveys, legislative hearings, etc.

- Currently, Arizona Indian tribes with assistance of the Indian Affairs Commission, are advocating for and supporting a new Tribal-State relations policy.

- Such an initiative would result in the signing of a Joint Proclamation among the tribes and the Governor for the purpose of having the State of Arizona acknowledge the historical relationships the Indian tribes have had with the federal government, along with the unique rights retained by the tribes that have been shaped by Federal and State Constitutions, statutes, Executive Orders of the President, and Treaties with the U.S. government.

- Will your administration support such an endeavor by welcoming each tribe to sign such a document with the State of Arizona?

- There is talk once again about abolishing or reorganizing the Commission of Indian Affairs. Will the new administration support such a move? If so, how would you envision such a move taking place?

3. HEALTH

- Most Indian tribes see the serious need for increased participation of eligible tribal members in State-sponsored programs such as AHCCCS, Long Term Care, Mental Health, and so forth.

- More persuasive measures need to be taken by all parties involved in resolving numerous AHCCCS claims for service or in the filing of claims by eligible Indian clients.

- Fair and practical procedures for the handling of health care services for tribal members who are also citizens of the State, should be established by the State of Arizona.

- Close cooperation and technical assistance is being provided to Indian tribes by other State agencies; such cooperation is needed from the State Health Department.

4. WATER RIGHTS

- In the past, Indian tribes have encountered difficulty with federal, State and local political entities with respect to their water rights.
- A few large tribes with extensive water rights are very protective and sensitive about providing information related to on-going litigation in this area.

- As such, Indian tribes should not be misunderstood as being hostile or uncooperative -- in most cases tribes are simply following the advice of their attorney.
- The State should take the lead in encouraging local governments and interested organizations in communicating and cooperating with Indian tribes toward quantification of Indian water rights.

5. EDUCATION

- It has been noted that millions of dollars are carried over into the next year by certain school districts; such carry-over funds should be extended into summer school programs on Indian reservations.

- there is the need for state legislation to deal with problems associated with school district jurisdictions extending onto Indian reservations

- Native Americans feel that more attention should be paid by the STate on how revenues should be distributed at the local school district level.

- where a substantial number of Indian students are eligible for federal funds, local school districts should be required to cooperate with Indian tribes in applying for such funds.

- The State should work closely with Indian tribes in pushing for Congressional legislation or amendments, or federal education initiatives that may be beneficial for the various states and Indian tribes.

- The State needs to take a more flexible approach in dealing with the unique regulatory problems being experienced among local school districts, tribal Councils, and federal funding agencies; e.g., overlapping governmental boundary lines, competing jurisdictions, conflicting "Indian education" authorities, and so forth.

- There should be an organization composed of Bureau of Indian Affairs personnel, State education officials, school district representatives, and tribal education leaders to address future Indian education issues.

- American Indian history textbooks as they relate to Arizona tribes should be included in the curriculum of local school districts.

6. FISH & GAME/LAW ENFORCEMENT

a. Fish and Game:
   - The State should discourage confrontation between State and Tribal fish and game officials.

   - The State should promote the enforcement of State fish and game regulations and violations by facilitating the certification of tribal fish and game officers.
   - Fish and Game officers assigned along Colorado River areas should recognize and accept the authority of tribal officers in their enforcement of rules and regulations of the various "river tribes."

2 • THE NAVAJO-HOPI OBSERVER • WEDNESDAY, FEBRUARY 13, 1991

Intertribal leaders listen to gubernatorial candidates

By Donna Michaels
Contributing Reporter

The critical need for better intergovernmental cooperation was the primary theme when leaders from 10 of Arizona's 20 Native American tribes met with the two men vying for governorship of Arizona on Feb. 4.

The forum was held in the College of Law on the Arizona State University campus in Tempe.

As tribal leaders shared their concerns for the future with the candidates--first Republican Fife Symington and then Democrat Terry Goddard--it became evident they are anxious to form a cooperative relationship with the state government, and particularly the governor's office.

"Let's face it," said Harriet Toro, a member of the Tohono O'Odham Nation and chairperson of the Arizona Commission of Indian Affairs (ACIA), in her opening statement, "without cooperation and communication no relationship can grow or prosper."

In response, the candidates stated their desires to work "quite closely" with the tribes and their leaders. Symington said, if elected governor, he would establish a liaison position within his office with the sole duty of coordinating efforts between the state and tribal governments.

"Having spent the majority of my adult life as a businessman, I know that if all the team doesn't work together," he said, "nothing gets done well and no one gets ahead. That is why one of my major concerns is that this mutual respect of which you speak not only be formed, but well maintained through dialogue and cooperation. It's the only way we--the state of Arizona-- can prosper into the next century and beyond."

Goddard pledged his "continued participation not only on the seventh floor of the state capitol, but on the reservations where the problems exist to begin with."

Having visited many of the reservations during the past few months, Goddard said he had seen "first hand" the needs of Arizona's Indian people and was "dedicated to righting the wrongs and bringing about a more healthy and comfortable way of life for all Arizonans."

"I am committed to forming partnerships with the Indian governments in this state," he said. "I believe this is the best way we at the capitol can support your self-determination, tribal sovereignty and go about solving the problems that face all the people of this state."

Prior to the meeting, the ACIA sent a priority survey to the leaders of all the Arizona tribes, requesting they help to define their primary concerns.

Responding were Nora Garcia, chairwoman for the Fort Mojave Tribe and president of the Intertribal Council of Arizona; Buck Kitcheyan, chairman of the San Carlos Apache Tribe; Clinton Pattea, then-president of the Fort McDowell Tribe; Delia Carlyle, chairwoman for the Ak Chin Tribe; Dale Phillips, chairman of the Cocopah tribes; Ronnie Lupe, chairman of the White Mountain tribes; Evelyn James, chairwoman of the newly recognized San Juan Southern Paiute Tribe; Ted Smith Sr., chairman of the Camp Verde Yavapai-Apache Tribe; Ivan Makil, president of the Salt River Indian Tribe; and Louise Lopez, chair of the Tonto Apache Tribe.

These leaders also attended the meeting with the gubernatorial candidates.

Economic development--from gaming and taxation to concerns about future land acquisitions and the formation of employment bases within or near the reservations--topped the list from the surveys. That was followed by concerns about the state of health care for Indians, both on and off the reservation, and then worries about water rights, education and law enforcement.

When faced with an unemployment rate of as much as 75 percent on some reservations, the task of locating funding for development projects on the reservations and the consideration of increased taxation on reservation smoke shops and gaming facilities, the tribal leaders wanted to know how each candidate would handle these issues.

"It is a disgrace," Symington said, "that Arizona ranks 49th in the nation in terms of economic development. As I said before, I am a businessman, not a career politician. As such, I know the first thing that has to be done is to get control of government spending and taxation in order to create a pro-business environment in this state. I am absolutely opposed to increased taxation in any area. I am looking for places to cut taxes, not to increase them. I believe the more you tax businesses--whether they be your smoke shops or the large corporations of our urban areas--the less collaboration and teamwork you get from them."

He offered a plan for creative financing to ease the credit crunch now being suffered by the tribes due to their low tax base. He suggested that economic development projects on the reservations may be funded through a "linked deposit" plan in which the state would deposit funds in local and/or national banking institutions with the express intent of those funds being lent to the tribes with low interest rates.

Goddard focused his comments on the unemployment problem and how tourism can help the tribes and the state.

"All of us know that a very large portion of the visitors we get in Arizona come to see our American Indians and to experience their culture," he said. "In response, we--the tribes and the state--have to be sure, as much as possible, that is open to them. I understand there are certain areas which necessitate a great degree of privacy, but there are many in which our out-of-state guests can and should be invited to participate. But, we all know economic development does not start and end with tourism.

"There's also the question of capital financing. I believe if we band together that the towns and communities that need such benefits into regions, instead of approaching the question as individual communities, the tax base will be sufficient to insure loans from the capital markets and to get bonding funds at much lower interest rates. Also, the state could help facilitate that by helping to underwrite the grants and assisting with some of the technical aspects of bond offerings.

"As for the unemployment rate," he said, "it's obvious to me that something has to be done. I understand some of the problem is that you don't want to have to move off and leave your homes to go where the jobs are. So, I think the solution is clear, we need to make maximum effort to move the jobs to the people, not vice versa. But, that's going to demand a massive cooperative effort on the part of the state and tribal governments, so we're right back to that intergovernmental partnership."

APPENDIX F

ARIZONA COMMISSION OF INDIAN AFFAIRS

SURVEY RESULTS

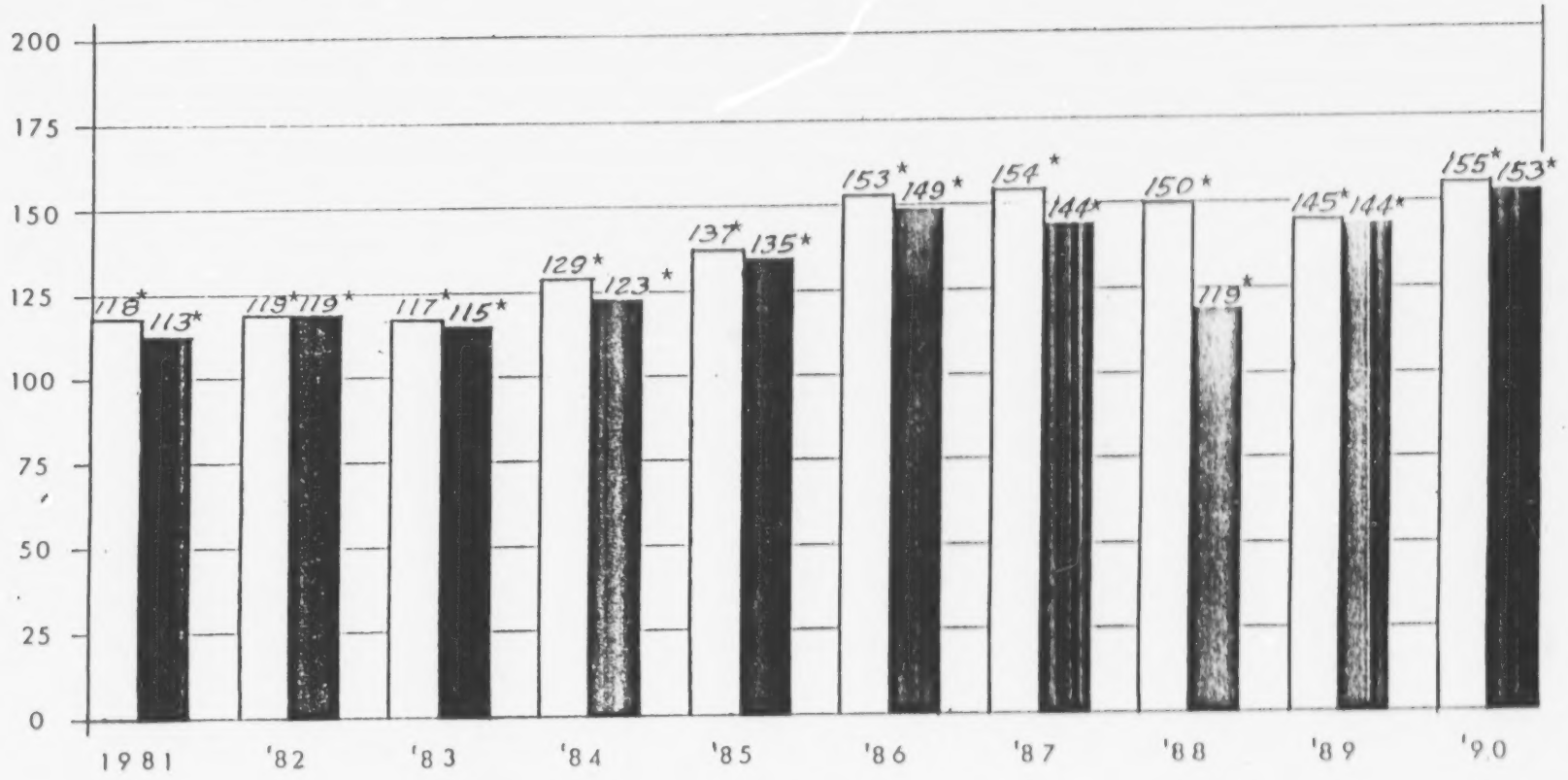
SUBJECT: URBAN INDIAN REPRESENTATION ON THE COMMISSION

	(CONTACTED)	YES		NO	COMMENTS
Tribal Leaders:	AK-CHIN	X			Convert 1 Non-Ind. to Urb.
	CAMP VERDE (Ted Smith, Chair)			X	Composition remain same
	COCOPAH			X	
	COLORADO RIVER	X			Convert 1 Non-Ind to Off-re
	FORT APACHE				
	FORT MCDOWELL				
	FORT MOJAVE			X	
	FORT YUMA	X			
	GILA RIVER	X			
	HAVASUPAI (Don Watahomigie, Chair)			X	Composition remain same
	HOPI (Vernon Masayesva, Chair)	X			
	HUALAPAI			X	
	KAIBAB-PAIUTE				
	NAVAJO	X			As recommended by Comm.
	PASCUA YAQUI	X			Increase by 2 for Urb. Ind.
	SAN JUAN SOUTHERN PAIUTE	X			
	SALT RIVER				
	SAN CARLOS			X	
	TOHONO O'ODHAM				
	TONTO APACHE	X			Convert Non-Ind. to Urb. In
	YAVAPAI-PRESCOTT (Patricia McGee,	Pres.)		X	
	TOTALS	9		7	
Indian Organizations:					
	IDDA (Abe Moreno, Dir.)	X			Convert 2 Non-Indian appts.
	Urban Indian Law Center (Dir).	X		-	New Director - no comment
	Heard Museum (Dir)	-		-	No Comment.
	Phoenix Indian Center	X			From "Non-Ind." to Nat. Ame
	Phx. Indian Senior Citizens Adv.				
	Kent Ware, Sr.	X			
	Affiliation of Az. Indian Centers	X			At least 2 reps of urb. Inc
	American Indian Assn. of Tucson,	X			Increase by 2 for Urb. Ind.
	Four Rivers Indian Legal Services	X			Off-res. Ind. not Urb. Ind.
	Indian Rehabilitation, Inc.	X			
	Native American Tourism Center	-		-	Dir. out of town-no respon
	Native American Research/Training Center, NAU	X			
	Hohokam Sacred Grounds	-		-	Unable to contact Mr. Hueri
	ITCA (John Lewis)				
	David Montiel	-		-	Unavailable
	TERO	-		-	Person in charge unavailab
	Native Americans for Community	X			
	Winslow Indian Center				
	TOTALS	10		0	

TM/dd
4/10/91

ARIZONA COMMISSION OF INDIAN AFFAIRS

1981-1990 Appropriations & Expenditures



(*) Denotes: hundreds of thousands of dollars